

MAY 3 1966

UPI-58

(CIA)

WASHINGTON--AN ESTONIAN REFUGEE WHO IS SUING A CIA AGENT FOR SLANDER ON GROUNDS HE WAS CALLED A SOVIET SPY IS ASKING THE WHITE HOUSE TO BREAK THE CIA'S SHROUD OF SECRECY IN THE CASE.

ERNEST C. RASKAUSAS, AN ATTORNEY FOR ESTONIAN NATIONALIST LEADER ERIK HEINE, CONFIRMED THAT HE HAD PETITIONED THE WHITE HOUSE FOR A REVIEW OF THE CASE UNDER A PRESIDENTIAL ORDER WHICH PROVIDES FOR ACTION ON COMPLAINTS ABOUT CIA SECRECY REGULATIONS.

RASKAUSAS SAID THAT HARRY C. MCPHERSON JR., WHITE HOUSE SPECIAL COUNSEL, HAD ASKED HIM TO PREPARE A MEMORANDUM ON THE REQUEST THAT TESTIMONY BE REQUIRED ON THE RELATIONSHIP OF THE DEFENDANT, CIA AGENT JURE RAUS, TO THE SUPERSECRET AGENCY.

THE LAWYER SAID THE MEMORANDUM MIGHT BE SENT TO THE WHITE HOUSE TODAY. A WHITE HOUSE SPOKESMAN SAID ONLY THAT THE PETITION FOR REVIEW HAD BEEN RECEIVED YESTERDAY AND WAS UNDER STUDY BY MCPHERSON.

HEINE, 46, NOW MAKES HIS HOME IN TORONTO, CANADA. HE IS KNOWN IN ESTONIAN REFUGEE CIRCLES AS A FORMER PARTISAN FIGHTER IN HIS NATIVE COUNTRY AND AS A MILITANT ANTI-SOVIET NATIONALIST.

HE SUED RAUS FOR \$110,000 IN U.S. DISTRICT COURT IN BALTIMORE, CHARGING HE HAD BEEN CALLED "A DISPATCHED SOVIET INTELLIGENCE OPERATIVE" TO DISCREDIT HIM WITH REFUGEE GROUPS.

IN A RARE PUBLIC ADMISSION OF ITS ACTIVITIES, CIA OFFICIALS ANSWERED IN AFFIDAVITS THAT RAUS, AN ESTONIAN NATIONAL EMPLOYED AS A GOVERNMENT HIGHWAY ENGINEER, HAD BEEN WORKING FOR THE AGENCY WHEN HE CHARGED HEINE WITH BEING AN AGENT OF THE SOVIET KGB SECRET POLICE.

THE AFFIDAVITS SAID RAUS HAD MADE THE CHARGES UNDER CIA ORDER. THE CIA CLAIMED THAT BECAUSE HE WAS ACTING AS AN AGENT OF THE U.S. GOVERNMENT HE THEREFORE WAS IMMUNE FROM A JUDGMENT IN THE CASE.

RAUS DECLINED ON THE WITNESS STAND TO ANSWER QUESTIONS ABOUT HIS RELATIONSHIP WITH THE CIA ON GROUNDS OF NATIONAL SECURITY. A MOTION BY HIS LAWYERS FOR A SUMMARY DISMISSAL OF THE CASE WILL BE HEARD.

RASKAUSAS SAID THE MOVE FOR WHITE HOUSE INTERVENTION WAS AIMED AT "FINDING OUT WHAT RAUS' STATUS WAS AT THE TIME THE SPY CHARGES WERE MADE." THE CIA'S "CLAIM OF SECRECY" HAS MADE IT IMPOSSIBLE TO DETERMINE THIS, HE SAID.

HEINE'S LAWYERS CONTEND THAT ONCE THE CIA HAD MADE THE DECISION TO PUBLICLY DISCREDIT HEINE IT DOES NOT NOW HAVE THE RIGHT TO RETREAT BEHIND A SECRECY PRIVILEGE TO PREVENT A TRIAL OF THE SUIT.

5/3--GE&TD127PES